

**Statutes Related to HEA1240 (1990)
and Other Subsequent Legislation Related to State Solid Waste Diversion Goals**

State Diversion Goals

IC 13-19-1

Chapter 1. Purpose, Policy, and Goal of Statute

IC 13-19-1-1

Sec. 1. The policy of the state is that:

- (1) source reduction;
- (2) recycling; and
- (3) other solid waste management alternatives;

are preferred over incineration and landfill disposal as solid waste management methods.

IC 13-19-1-2

Sec. 2. The goal of the state is to reduce the amount of solid waste incinerated and disposed of in landfills in Indiana by:

- (1) thirty-five percent (35%) before January 1, 1996; and
- (2) fifty percent (50%) before January 1, 2001;

through the application and encouragement of solid waste source reduction, recycling, and other alternatives to incineration and landfill disposal.

Indiana Department of Management: Regulatory issues

IC 13-19-2 Establishment of Solid Waste Management Board

IC 13-19-3 Powers and Duties Concerning Solid Waste and Hazardous Waste Management

IC 13-20-9 Restrictions on Disposal of Vegetative Matter

IC 13-20-16 Battery Recycling

IC 13-20-17 Restrictions on Batteries Containing Mercury

IC 13-20-19 Mandatory Coding of Plastic Containers

Indiana Institute on Recycling

IC 13-20-18

Chapter 18. Indiana Institute on Recycling

Indiana Grants Programs

IC 13-20-20

Chapter 20. Household Hazardous Waste Grant Program

IC 13-20-22

Chapter 22. State Solid Waste Management Fees; State Solid Waste Management Fund

IC 13-20-22-2

Sec. 2. (a) The state solid waste management fund is established to provide money for the following:

(1) Programs that provide grants and loans that provide education and promote the following:

(A) Recycling and the use of recycled materials.

(B) Waste reduction.

(C) Management of yard waste.

(2) Providing grants to implement household hazardous waste source reduction or recycling projects.

(3) Providing grants for household hazardous waste and conditionally exempting small quantity generator waste collection, recycling, or disposal projects under IC 13-20-20.

IC 13-20-22-12

Sec. 12. Each month the department of state revenue shall deposit the following:

(1) Not less than fifty percent (50%) of the revenue from the fee imposed under section 1(b)(1) of this chapter into the Indiana recycling promotion and assistance fund established in IC 4-23-5.5-14.

(2) Not more than fifty percent (50%) of the revenue from the fee imposed under section 1(b)(1) of this chapter into the fund.

(3) The revenue from the fee imposed under section 1(b)(2) of this chapter into the hazardous substance response trust fund established by IC 13-25-4-1.

State Solid Waste Management Plan

IC 13-21-1

Chapter 1. State Solid Waste Management Plan

IC 13-21-1-1

Sec. 1. The commissioner shall do the following:

(1) Adopt the state plan in final form.

(2) Adopt rules under IC 4-22-2 to provide for the plan's implementation.

IC 13-21-1-2

Sec. 2. The state plan must provide for solid waste management in Indiana for the twenty (20) years following the adoption of the state plan. The state plan must include the following, in order of priority:

(1) The establishment of voluntary statewide goals for source reduction.

(2) The establishment of criteria for alternatives to final disposal, including the following:

(A) Recycling.

(B) Composting.

(C) The availability of markets.

(3) The establishment of general criteria for the siting, construction, operation, closing, and monitoring of final disposal facilities.

(4) Criteria and other elements to be considered in the adoption of district solid waste management plans.

Solid Waste Planning Advisory Council

IC 13-21-2

Chapter 2. Solid Waste Planning Advisory Council

IC 13-21-2-1

Sec. 1. (a) The solid waste planning advisory council is established.

(b) The council shall advise the department in the implementation and revision of the state plan required by IC 13-21-1.

Solid Waste Management Districts

IC 13-21-3

Chapter 3. Solid Waste Management Districts

IC 13-21-5

Chapter 5. District Solid Waste Management Plan

Indiana Department of Commerce: Recycling Promotion

IC 4-4-3-8

Sec. 8. (a) The department shall develop and promote programs designed to make the best use of the resources of the state so as to assure a balanced economy and continuing economic

growth for Indiana and for those purposes may do the following:

(9) Perform the following energy related functions:

(F) Carry out studies, research projects, and other activities required to:

(iii) promote the dissemination of information concerning energy and recycling market development issues.

(13) Develop and promote markets for the following recyclable items:

(A) Aluminum containers.

(B) Corrugated paper.

(C) Glass containers.

(D) Magazines.

(E) Steel containers.

(F) Newspapers.

(G) Office waste paper.

(H) Plastic containers.

(I) Foam polystyrene packaging.

(J) Containers for carbonated or malt beverages that are primarily made of a combination of steel and aluminum.

(14) Produce an annual recycled products guide and at least one (1) time each year distribute the guide to the following:

(A) State agencies.

(B) The judicial department of state government.

(C) The legislative department of state government.

(D) State educational institutions (as defined in IC 20-12-0.5-1).

(E) Political subdivisions (as defined in IC 36-1-2-13).

(F) Bodies corporate and politic created by statute.

A recycled products guide distributed under this subdivision must include a description of supplies and other products that contain recycled material and information concerning the availability of the supplies and products.

(c) The department shall submit a report to the general assembly before October 1 of each year concerning the availability of and location of markets for recycled products in Indiana. The report must include the following:

(1) A priority listing of recyclable materials to be targeted for market development. The listing must be based on an examination of the need and opportunities for the marketing of the following:

- (A) Paper.
- (B) Glass.
- (C) Aluminum containers.
- (D) Steel containers.
- (E) Bi-metal containers.
- (F) Glass containers.
- (G) Plastic containers.
- (H) Landscape waste.
- (I) Construction materials.
- (J) Waste oil.
- (K) Waste tires.
- (L) Coal combustion wastes.
- (M) Other materials.

(2) A presentation of a market development strategy that:

- (A) considers the specific material marketing needs of Indiana; and
- (B) makes recommendations for legislative action.

(3) An analysis that examines the cost and effectiveness of future market development options.

IC 4-4-3-8.1

Sec. 8.1. When considering offering economic development assistance to businesses and industries, the department shall do the following:

(1) Consider the potential environmental impact that would be caused by the assistance.

(2) Give priority to businesses and industries that, as the principal activity of the businesses and industries, convert recyclable materials into useful products or create markets for products made from recycled materials.

As added by P.L.10-1990, SEC.2.

IC 4-13-1.4

Chapter 1.4. Development of Recycled Materials Market

IC 4-23-5.5

Chapter 5.5. Indiana Energy Development Board

Indiana Department of Administration: Buying Recycled

IC 4-13-1.4-4

Sec. 4. (a) The department shall prepare specifications under IC 5-22-5 for the purchase by state agencies of products:

- (1) that meet the reasonable requirements of the state;
- (2) that are made from recycled materials; and
- (3) the use of which is technologically and economically feasible.

As added by P.L.49-1997, SEC.9.

IC 4-13-1.4-5

Sec. 5. The department and all state agencies shall implement the specifications prepared under section 4 of this chapter in the purchase of the following:

- (1) Paper and paper products.
- (2) Plastic and plastic products.
- (3) Glass and glass products.
- (4) Motor oil and other lubricants.
- (5) Compost.
- (6) Construction materials.
- (7) Tires and products derived from waste tires.

As added by P.L.49-1997, SEC.9.

IC 4-13-1.4-6

Sec. 6. (c) A report required by this section must set forth the following information:

- (1) The number of contracts entered into by the state agency during the period.
- (2) The total dollar amount to be paid by the state under the contracts.
- (3) A list of the types of products made from recycled materials that were purchased by the state agency during the period, including the following:
 - (A) Paper and paper products.
 - (B) Plastic products.
 - (C) Glass and glass products.
 - (D) Compost and other materials created through the recovery of landscape waste.
 - (E) Used oil, solvents, and paint.
 - (F) Coal combustion wastes.
 - (G) Waste tires and products derived from waste tires.
- (4) For each of the types of products made from recycled materials that are listed in subdivision (3), the following information must be included:
 - (A) The total number of contracts entered into by the state agency.
 - (B) The total dollar amount to be paid by the state under the contracts.
 - (C) A figure indicating in the aggregate, for each type of product, the percentage of the content of the products purchased that consisted of recycled materials.
- (5) For each type of product made from recycled materials that are listed in subdivision (3), the following information must be included:
 - (A) The total number of contracts to which a price preference under IC 5-22-15-16 applied.

(B) The amount to be paid by the state under contracts to which a price preference under IC 5-22-15-16 applied.

(6) For each type of product made from recycled materials that are listed in subdivision (3), the following information must be included:

(A) The total number of contracts to which a price preference under IC 5-22-15-16 did not apply.

(B) The amount to be paid by the state under contracts to which a price preference under IC 5-22-15-16 did not apply.

As added by P.L.49-1997, SEC.9.

IC 4-13-1.4-8

Sec. 8. (a) Each year the department shall produce and distribute a recycled products guide for use by all state and local government purchasing agents. The guide must include the following:

(1) Instructions concerning how local government purchasing agents may purchase recycled materials through the department.

(2) A list of products that may be purchased through the department.

(b) The department shall annually revise and update the guide produced under this section.

As added by P.L.49-1997, SEC.9.

IC 4-13-1.4-9

Sec. 9. Each year the department shall, in cooperation with the department of commerce created by IC 4-4-3, host at least one (1) conference to bring together the following:

(1) Purchasing agents.

(2) Suppliers of products made from recycled materials.

As added by P.L.49-1997, SEC.9.

IC 4-13-1.4-10

Sec. 10. (a) Before October 1 of each year, the department shall submit to the general assembly a written report on the effectiveness of the state policies concerning the purchase of products made from recycled materials. In this report the department may recommend revisions to the purchasing policies.

(b) The report required under subsection (a) must include the name of each agency that was late in providing or failed to provide the department with the information required for the department to submit the report.

As added by P.L.49-1997, SEC.9.